

RECORD OF OFFICIAL PROCEEDINGS OF THE COMMON COUNCIL
CITY OF ROCHESTER, MINNESOTA
Regular Meeting No. 8 – April 5, 2004

7030

Agenda Item	
A-1	No one wished to be heard during the Open Comment Period.
B-1	President John Hunziker called the meeting to order at 7:00 P.M. with the following members present: Councilmembers Dennis Hanson, Jean McConnell, Sandra Means, Bob Nowicki. Absent: Councilmembers Marcia Marcoux and Walter Stobaugh. Also absent: Mayor Ardell F. Brede.
D-1-45	Councilmembers Hanson moved, Nowicki seconded, to approve the following consent agenda items.
D-1	Adopted the minutes of the March 22, 2004, Council meeting.
D-2	Approved the appointment of Paul D. Scanlon, M.D. to the Rochester Civic Music Board for the term expiring December 2006.
D-3	Adopted Resolution No. 139-04 approving payment of one-half of the annual maintenance expenses for the River Reporting Gauge at the South Fork Zumbro River at 37 th Street N.W. for the period of October 1, 2003, through September 30, 2004, plus the telephone and electric expenses.
D-4	<p>Approving the funding to the Neighborhood Resource Center, not to exceed \$10,000, for the publication of the 1978 Flood of Memories Book.</p> <p>Councilmember Nowicki noted his relationship with the Neighborhood Resource Center and abstained from any consideration of this matter.</p>
D-5	See at the end of the D Items.
D-6	Adopted Resolution No. 140-04 entering into a Bioscience and Health Science Industry Zone Designation Agreement with the Minnesota Department of Employment and Economic Development.
D-7	<p>Adopted Resolution No. 141-04 authorizing use of the Old Art Center Building by the Rochester Neighborhood Resource Center from vacation by the Art Center to October 1, 2004, subject to required Hold Harmless Agreement and adding the City as an additional insured on the insurance liability policy, and authorization preparation and plans for the demolition of the building after October 1, 2004.</p> <p>Councilmember Nowicki noted his relationship with the Neighborhood Resource Center and abstained from any consideration of this matter</p>
D-8	Adopted Resolution No. 142-04 authorizing execution of the State Aid Agreement and Professional Services Agreement with Kramer Aerotek, Inc. for Air Service Development at the Rochester International Airport.
D-9	Adopted Resolution No. 143-04 entering into a Professional Services Agreement with ACSG, Inc. for Phase #2 of Project No. J-6971 "Extension of Runway 13-31" with fees not to exceed \$1,369,978.

Agenda Item	
D-10	Adopted Resolution No. 144-04 amending Resolution No. 300-03 excluding activities that are not a retail sale from paying permit fees associated with the use of the sidewalk and/or streets from the previously adopted fee schedule.
D-11	<p data-bbox="362 474 1146 506">Approved the following licenses and miscellaneous activities.</p> <p data-bbox="362 541 623 573"><u>Dance – Temporary</u></p> <p data-bbox="362 573 1409 642">Rookies Sports Grill & Bar – Graham Arena after Bull Riding Event – April 16 and 17, 2004.</p> <p data-bbox="362 678 594 709"><u>Fireworks Display</u></p> <p data-bbox="362 709 1386 779">Hollywood Pyrotechnics – Rochester Art Center Opening – Civic Center South Parking Lot - May 8, 2004 – 8:00-10:00 PM</p> <p data-bbox="362 814 724 846"><u>Gambling – Premise Permit</u></p> <p data-bbox="456 846 1170 877">Hiawatha Snow Seekers of Eyota – Premise at 63 Club</p> <p data-bbox="362 913 664 945"><u>Gambling – Temporary</u></p> <p data-bbox="362 945 1430 1014">Minnesota Elk Breeders Association – Raffle at Marriott Hotel – January 15, 2005.</p> <p data-bbox="362 1014 1427 1083">Possibilities of Southern Minnesota – Raffle at John Barley Corne – August 28, 2004.</p> <p data-bbox="362 1083 1427 1152">SE Mn H.O.G. Chapter (Harley Owner's Group) – Raffle at Hangar Bar and Grill – August 29, 2004.</p> <p data-bbox="362 1152 1414 1222">Rochester Juvenile Hockey Association – Off-Site Premise Permit for Pool Tournament at Graham Arena – April 22-24, 2004.</p> <p data-bbox="362 1257 711 1289"><u>On-Sale Temporary Liquor</u></p> <p data-bbox="456 1289 1284 1320">Church of St. John the Evangelist – Block Party – July 10, 2004.</p> <p data-bbox="362 1356 610 1388"><u>Heating Contractor</u></p> <p data-bbox="456 1388 1154 1419">Lakes Mechanical Services, Inc., Chisago, Minnesota.</p> <p data-bbox="362 1455 631 1486"><u>Sidewalks – Cement</u></p> <p data-bbox="456 1486 854 1518">East Side Services, Rochester</p> <p data-bbox="456 1518 1146 1549">Chris DeCook DBA DeCook Construction, Inc., Byron</p> <p data-bbox="362 1585 594 1617"><u>Sewer and Drains</u></p> <p data-bbox="456 1617 1146 1648">Chris DeCook DBA DeCook Construction, Inc., Byron</p> <p data-bbox="362 1684 621 1715"><u>Sound Amplification</u></p> <p data-bbox="362 1715 1398 1785">Rochester Public Utilities – Arbor Day Celebration at Peace Plaza – April 30, 2004 from 11:00 AM to 1:00 PM.</p> <p data-bbox="362 1785 1409 1854">March of Dimes – Walk America Fundraiser – Elks Lodge – April 24, 2004 from 7:30 AM to 12:30 PM</p> <p data-bbox="362 1854 1341 1923">Lupus Foundation – Fundraising Walk at Silver Lake West Pavilion – September 19, 2004 from 10:00 AM to 2:30 PM</p> <p data-bbox="362 1923 1414 1992">Socheata Leang, 1829 48th Street N.W. – Home Wedding Party – April 30, 2004 – 5:00 to 9:00 PM</p>

Agenda Item	
	<p><u>Miscellaneous City Activities</u></p> <p>Lupus Foundation – Fundraising Walk at Silver Lake West Pavilion – September 19, 2004 from 10:00 AM to 2:30 PM</p> <p>March of Dimes – Walk America Fundraiser – Elks Lodge – April 24, 2004 from 7:30 AM to 12:30 PM</p> <p>Rochester Public Utilities – Arbor Day Celebration at Peace Plaza – April 30, 2004 from 11:00 AM to 1:00 PM.</p> <p>Veterans of Foreign Wars – Annual Buddy Poppy Distribution – May 14-15, 2004.</p> <p>Med-City Marathon and Conoco Kids Classic Road Race – May 30, 2004, 6:00 AM to 3:00 PM</p> <p>American Legion Auxiliary – Annual Buddy Poppy Distribution – April 30-May 1, 2004.</p> <p>Ray Murray – Jessica Murray Road Race – August 7, 2004 – 8:00 AM to 11:00 PM.</p>
D-12	Approved amending RCO 105A.02 to remove the limitation of the number of public dances that may be held by any one person or in any one place during a calendar year and instruct the City Attorney to prepare the required ordinance for adoption.
D-13	Approved the transfer of the On-Sale 3.2% Malt Liquor License from Lovelace & Fossum, Inc., to BRB Billards.
D-14	Approved the transfer of the On-Sale Wine and On and Off-Sale 3.2% Malt Liquor License for Image of Rochester, Inc. DBA 63 Club.
D-15	Approved the On-Sale and Sunday Intoxicating Liquor Licenses for Azteca Mexican Restaurant located at 28 Ninth Street S.E.
D-16	Adopted Resolution No. 145-04 authorizing the entering into an agreement with the State of Minnesota, Olmsted County and the University Center Rochester to install a fiber link to the Heintz Center at the University Center Rochester and to approve All Systems Installations, Inc. to install the system at a price of \$22,720.00.
D-17	Approved Accounts Payable in the amount of \$5,939,165.76 and Investment Purchases of \$26,492,212.23.
D-18	Approved the appointment of Chuck Solseth to the position of Fire Captain in the Rochester Fire Department effective April 15, 2004.
D-19	Adopted Resolution No. 146-04 granting a wage increase of 3 percent to the Parking Control Officers retroactive to January 8, 2004 and adjust pay rates of 2.5% effective January 6, 2005.
D-20	Adopted Resolution No. 147-04 adopting the revised City Personnel Policies on Family and Medical Leave, Vacation, Employee Parking/Transit Policy, Drug and Alcohol Testing and Motor Vehicle Drug and Alcohol Testing.

Agenda Item	
D-21	Adopted Resolution No. 148-04 entering into a Professional Services Agreement with Boonestroo Rosene Anderlik and Associates for professional services to conduct infrastructure stormwater feasibility and preliminary engineering design for portion of Cascade Creek drainage area located south of Second Street SW for an amount not to exceed \$16,630.00.
D-22	Adopted Resolution No. 149-04 approving the Wetland Delineation and Replacement Plan for Forest Knoll 1 st Subdivision.
D-23	Adopted Resolution No. 150-04 approving the Development Agreement with Joel Bigelow and Sons Enterprises, Inc. for the Harvestview area.
D-24	Adopted Resolution No. 151-04 entering into a grant agreement with the Division of Homeland Security and Emergency Managements, State of Minnesota and/or Federal Government for a 2004 Homeland Security and Law Enforcement Terrorism Prevention Program.
D-25	Adopted Resolution No. 152-04 authorizing the Rochester Police Department Emergency Response Unit to use the property at 223 Fourth Avenue N.W. for training and hold the owner, Michon Schafer, harmless from possible claims arising from these activities.
D-26	Adopted Resolution No. 153-04 applying for and accepting May Mobilization grant funds and entering into a grant agreement with the Minnesota Department of Public Safety, Office of Traffic Safety to further increase seat belt use through enforcement and education.
D-27	Adopted Resolution No. 154-04 establishing a billable transaction fee of \$1.50 per billable transaction to be paid by pawnbrokers.
D-28	Adopted Resolution No. 155-04 accepting the Feasibility Report on Project No. M1-07 (J-9751) "Sub-trunkline Sanitary Sewer and Trunk Watermain Extension to Serve Sanitary Sewer Service Area 6G in Cascade Township".
D-29	Adopted Resolution No. 156-04 authorizing the City Clerk to advertise for bids for Project No. M1-07 (J-9751) "Sub-trunkline Sanitary Sewer and Trunk Watermain Extension to Serve Sanitary Sewer Service Area 6G in Cascade Township, Phase I".
D-30	Adopted Resolution No. 157-04 authorizing the execution of an Engineering Service agreement with WHKS & Company for Project No. J-7726 "Sanitary Sewer and Watermain Extension to Serve the South Frontage Road of TH14 East from the Knights of Columbus Easterly to the Hundred Acre Woods Development".
D-31	Adopted Resolution No. 158-04 authorizing the execution of an Engineering Service agreement with Yaggy-Colby Associates for Project No. J-2269 "Construct TH63 and 40 th Street South Interchange and Connecting Roadways, and Relocate Sanitary Sewer and Watermain in Conjunction with the Interchange and Roadway Project".

Agenda Item	
D-32	Adopted Resolution No. 159-04 authorizing the City Clerk to advertise for bids for Project No. M3-24 (J-4014) "Reconstruct 3 rd Avenue N.W. from 31 st Street N.W. to Chalet Drive and Remedial Drainage way work".
D-33	Adopted Resolution No. 160-04 amending the Comprehensive Traffic and Parking Resolution to add Paragraph 198.7 to Section B "No Parking Zones" as follows: (198.7) 13 th Avenue N.W., from 4 ½ Street N.W. to 5 th Place N.W., on the east side, at all times.
D-34	Adopted Resolution No. 161-04 amending the Comprehensive Traffic and Parking Resolution to add Paragraph 57.2 to Section B "No Parking Zones" as follows: (57.2) 2 nd Street S.W., from 7 th Avenue S.W. to a point 100 Feet more or less west of 7 th Avenue S.W., on the south side, at all times.
D-35	Adopted Resolution No. 162-04 authorizing the execution of the City/Owner Contract with Mayo Clinic Rochester and Knutson Construction, Inc. for Project No. J-5134 "1 st Street S.W. Improvements (realignment for Statuary Park)".
D-36	Adopted Resolution No. 163-04 authorizing the execution of the City/Owner Contract with Arcon Construction, Inc. and Arcon Development, Inc. for Project No J-5110 "Basic Construction in Forest Knoll Subdivision".
D-37	Adopted Resolution No. 164-04 executing the Development Agreement with Emerald Green of Rochester, LLC for Sawinski Pines/The Pines property.
D-38	Adopted Resolution No. 165-04 executing the Development Agreement with Fairway Ridge Amendment No. 1.
D-39	Adopted Resolution No. 166-04 executing the Development Agreement for Century Hills South with Payne Company.
D-40	Adopted Resolution No. 167-04 authorizing execution of the Settlement Agreement with Isabelle Theobald for land located in the right-of-way for Chateau Road/55 th Street N.W. intersection Roadway Improvements – (J-7222).
D-41	Adopted Resolution No. 168-04 authorizing execution of the Assessment Agreements for the Century Hills 1 st and 2. th Subdivisions Drainage properties – Project No. J-4017.
D-42	Adopted Resolution No. 169-04 awarding the contract for Project No. 6304-4-04 (J-9713) "Third Avenue SW Street Reconstruction from 2 nd Street W to Center Street" to Road Constructors, Inc. for combined contract and alternate A.
D-43	Adopted Resolution No. 170-04 executing a Limited Use Permit for the purpose of maintenance, construction and operating purposes of pedestrian facilities on the 48 th Street and 40 th Street bridges over TH63 South.

Agenda Item	
D-44	<p>Adopted Resolution No. 171-04 authorizing execution of the City/Owner Contract with Badger Hills LLC and Road Constructors, Inc. for Project No. J-5098 "Basic Construction Badger Hills Subdivision".</p>
D-45	<p>Adopted Resolution No. 172-04 authorizing execution of the City/Owner Contract with L.B. Electric, Inc. and T.G. Swanson Excavating, Inc. for Project No. J-5112 "Watermain and Hydrants to Serve L.B. Electric".</p> <p>Ayes (5), Nays (0). Motion Carried.</p>
D-5	<p>Councilmember McConnell spoke against CDBG funding being used for restoration of the South Broadway building. He said that each year the Council is asked to divide up the CDBG funds among organizations requesting assistance. Council is told that there are no more funds available. He said that he doesn't like the priorities because the needs of those left behind are more important than restoration of a building.</p> <p>Councilmembers Hanson moved, Nowicki seconded, to approve the call for a public hearing for May 3, 2004, to transfer CDBG funds in an amount not to exceed \$20,000 for building restoration at 318 South Broadway, subject to matching funds being provided by building owner. Ayes (3), Nays (2). Councilmembers McConnell and Means voted nay. Motion carried.</p>
E-1	<p>A Continued Hearing on Zoning District Amendment #04-03 by Kevin Taylor to rezone from H to the M-1 on property located along the south side of 19th Street NW, east of Whittings Nursery and west of 19th Street Business Park.</p> <p>The Applicant requested that the Council table the item to allow additional time to resolve issues related to the proposed development and access. The applicant will submit a letter to waive MS 15.99 (60-day law). Staff will re-publish the item after it is rescheduled.</p> <p>Councilmembers Hanson moved, Nowicki seconded, to table the Hearing on Zoning District Amendment #04-03 by Kevin Taylor. Ayes (5), Nays (0). Motion carried.</p>
E-2	<p>A Continued Hearing on General Development Plan #231 to be known as Taylor Commercial Property located along the south side of 19th Street NW, east of Whittings Nursery and west of 19th Street Business Park.</p> <p>The Applicant requested that the Council table the item to allow additional time to resolve issues related to the proposed development and access. The applicant will submit a letter to waive MS 15.99 (60-day law). Staff will re-publish the item after it is rescheduled.</p> <p>Councilmembers Hanson moved, Nowicki seconded, to table the Hearing on General Development Plan #231 to be known as Taylor Commercial Property. Ayes (5), Nays (0). Motion carried.</p>

Agenda Item	
E-3	<p>A Continued Hearing on Vacation Petition #03-10, Marigold Foods, LLC to vacate right of way located west of West Silver Lake Drive and south of 5th Street NE.</p> <p>The applicants requested that the hearing be continued to the April 19, 2004, meeting.</p> <p>Councilmembers Hanson moved, McConnell seconded, to continue the Hearing on Vacation Petition #03-10, Marigold Foods, LLC to the April 19, 2004, meeting. Ayes (5), Nays (0). Motion carried.</p>
E-4	<p>A Hearing on Zoning District Amendment #04-04 by Fred Schmidt to amend the zoning from I to the R-1 on property located south along the south side of Eastwood Road SE, east of Grandview Memorial Gardens and west of Knollwood Drive SE.</p> <p>President Hunziker opened the hearings for Items E-4 and E-5 saying that the testimony taken in Item E-4 pertained to both hearings.</p> <p>Wishing to be heard was Cedri Schultz, Land Consultants, representing the developer, Fred Schmidt. He noted agreement with the conditions with the exception of Condition #11. Prior to Mr. Schmidt purchasing the property, a meeting was held with Charles Rieter of the Planning Department on the traffic impact. It appeared at that time traffic generated from the development would not impact Eastwood Road. They will be meeting with Olmsted County on traffic planning. There is already 60 feet of roadway on the north side dedicated and Mr. Schmidt will be dedicating 60 feet on the south. Mr. Schultz said that there would be a neighborhood park in the subdivision and the remainder of the park would be in lieu of land.</p> <p>Brent Svenby, Planning Department, said that staff recommended that Condition #11 be stricken based on the letter from the Transportation Division. Any additional development along Eastwood Road will make the level of service at the Marion Road and Eastwood Road intersection fall below the ordinance standards.</p> <p>Richard Freese, Public Works Director, said that the same instance happened at 50th Avenue N.W. where there was a limitation of 3000 trips on the road until it was improved. Based on building permits, only 300 were allowed until the road would be improved. Mr. Freese was concerned that if the condition was dropped, the developer would be under the misunderstanding that he could develop the entire subdivision. The past practice has been per trip per building permit basis and doesn't guarantee any specific developer all of the lots in his subdivision. Mr. Freese recommended that the last sentence in Condition #11 be stricken.</p> <p>Terry Adkins, City Attorney, told Council members that the same condition for adequate public facilities that has been used in other developments. He suggested caution in considering the deletion of this sentence. He suggested that the last sentence of Condition #11 be changed to read: "As such, development will occur and a development permit will be issued only to the extent that public facilities are adequate to accommodate the applied-for development".</p>

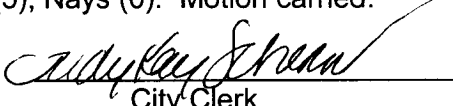
Agenda Item	
	<p>Councilmember Means asked about the slope and the possibility of erosion on the site. Brent Svenby, Planning Department, noted that the grading and drainage plan addresses this issue.</p> <p>Having no one further wishing to be heard, President Hunziker closed the hearing.</p> <p>Councilmembers Hanson moved, Means seconded, to approve Zoning District Amendment #04-04 by Fred Schmidt with 11 conditions amending Condition #11 as suggested by the City Attorney, instructed the City Attorney to prepare the required ordinance for adoption, and prepare Findings of Fact, Conclusions of Law, and Order for Item E-5. Ayes (5), Nays (0). Motion carried.</p>
E-5	<p>A Hearing on General Development Plan #229 to be known as Graham Woods by Fred Schmidt located south along the south side of Eastwood Road SE, east of Grandview Memorial Gardens and west of Knollwood Drive SE.</p> <p>President Hunziker opened the hearings for Items E-4 and E-5 saying that the testimony taken in Item E-4 pertained to both hearings.</p>
E-6	<p>A Hearing on Preliminary Plat #03-36 to be known as Fox Trails, by Roger Carlsen located north of 19th Street NW, west of West Circle Drive and south of the Badger Ridge Development.</p> <p>Wishing to be heard was Kristi Clarke, McGhie & Betts, representing the applicant. The plat is bordered by Badger Ridge Subdivision on the north and 19th Street N.W. on the south. The first phase will be the development of townhomes by 19th Street N.W. Ms. Clarke noted that they have been dealing with the neighbors and have been trying to answer questions posed by Ms. Holly Huso who lives on the northern border of the property. Ms. Huso's primary concern is about grading and the trees that now exist and the need for a drainage swale. There are no living trees in some of the area. The swale will retain the water. Any trees that can be saved will be saved. Ms. Clarke noted that they are in agreement with the nine conditions.</p> <p>Having no one further wishing to be heard, President Hunziker closed the hearing.</p> <p>Councilmembers Means moved, Hanson seconded, to approve Preliminary Plat #03-36 to be known as Fox Trails, by Roger Carlsen with nine conditions and instructed the City Attorney to prepare Findings of Fact, Conclusions of Law, and Order. Ayes (5), Nays (0). Motion carried.</p>
E-7	<p>A Hearing on Final Plat #02-25 to be known as Forest Knoll Subdivision by Arcon Development located along the west side of St. Bridgets Road, east of TH63 and south of 48th Street S.E.</p> <p>Wishing to be heard was Bill Anderson, Yaggy-Colby, representing the applicant. He noted that they were in agreement with the nine conditions including the amendment of Condition #6.</p> <p>Having no one further wishing to be heard, President Hunziker closed the hearing.</p>

Agenda Item	
E-8	<p>Councilmembers Nowicki moved, Hanson seconded, to adopt Resolution No. 173-04 approving Final Plat #02-25 to be known as Forest Knoll Subdivision by Arcon Development with nine conditions amending Condition #6 to read: "Pedestrian Facilities shall be provided as specific in the Development Agreement. In addition, a 10' wide bituminous path is required along the west side of St. Bridget Road SE." Ayes (5), Nays (0). Motion carried.</p> <p>A Hearing on Type III, Phase I, Appeal #04-01 of Type III, Phase I, Variance Request #04-05 by Soldiers Field Plaza and Tri-State Outdoor Media Group to allow for the relocation of a sign to the north side of Soldiers Field Plaza in the 800 block of South Broadway.</p> <p>Wishing to be heard was Steve Hinck, 1805 92nd Street N.E., Rochester, representing Soldier Field Plaza, and Carl Heins, 1817 Fifth Avenue S.W., representing Tri-State Outdoor Media Group (now Magic Media). They said that the non-conforming sign that is existing now is in the north parking lot. In order to build a new commercial building in that location, the sign will need to be moved approximately 40 feet to the north. The only other location would be the east side of the railroad tracks. That location would not allow for adequate sight for motorists on Broadway to see the advertisements.</p> <p>Councilmembers noted that the sign was non-conforming and that the reasons for the relocation of the sign did not conform to the criteria applicable to variance requests. They asked Mr. Hinck and Mr. Heins to return to the April 19, 2004, meeting with a solid rationale as to the validity of having the sign relocated through a variance process.</p> <p>Councilmembers Hanson moved, McConnell seconded, to continue the hearing on Type III, Phase I, Appeal #04-01 of Type III, Phase I, Variance Request #04-05 by Soldiers Field Plaza and Tri-State Outdoor Media Group to the April 19, 2004 meeting. Ayes (5), Nays (0). Motion carried.</p>
E-9	<p>A Hearing on Annexation Petition #04-06 by Payne Company to annex land located east of East Circle Drive and west of Century Hills Drive and land located east of Century Road NE and Century Point First Subdivision.</p> <p>Having no one wishing to be heard, President Hunziker closed the hearing.</p> <p>Councilmembers Hanson moved, Means seconded, to approve Annexation Petition #04-06 by Payne Company to annex land located east of East Circle Drive and west of Century Hills Drive and instructed the City Attorney to prepare the required Ordinance for adoption. Ayes (5), Nays (0). Motion carried.</p>
E-10	<p>A Hearing on Utility Vacation Petition #04-03 by Forsons Investment, LLC to vacate a 20-foot wide utility easement within Barclay Square Shopping Mall located west of US Highway 52 and north of 16th Street SW.</p> <p>Having no one wishing to be heard, President Hunziker closed the hearing.</p>

Agenda Item	
E-11	<p>Councilmembers Hanson moved, Nowicki seconded, to adopt Resolution No. 174-04 approving Utility Vacation Petition #04-03 by Forsons Investment, LLC with one condition. Ayes (5), Nays (0). Motion carried.</p> <p>A Hearing on Text Amendment #03-10 initiated by the Planning and Zoning Commission to amend the Zoning Ordinance and Land Development Manual to add uses to the B-5 Zoning District, modify general zoning district standards, modify the definition of the B-5 district, add definitions to the ordinance for new uses and include provisions for relaxing setback standards through Design Modification.</p> <p>Having no one wishing to be heard, President Hunziker closed the hearing.</p> <p>Councilmembers McConnell moved, Nowicki seconded, to approve Text Amendment #03-10 initiated by the Planning and Zoning Commission and instructed the City Attorney to prepare the required ordinance for adoption. Ayes (5), Nays (0). Motion carried.</p>
E-12	<p>A Hearing to Extend the Terms of a Minnesota Investment Fund Grant/Loan to Pemstar, Inc.</p> <p>Having no one wishing to be heard, President Hunziker closed the hearing.</p> <p>Councilmembers Hanson moved, Nowicki seconded, to approve the Extension of the Terms of a Minnesota Investment Fund Grant/Loan to Pemstar, Inc. Ayes (5), Nays (0). Motion carried.</p>
G-2a	<p>An Ordinance Amending and Re-Enacting Section 105A.02 of the Rochester Code of Ordinances, Relating to the Number of Public Dance Permits, was given a first reading.</p>
G-2b	<p>An Ordinance Rezoning Approximately 89 Acres of Property From the I Zoning District to the R-1 Zoning District, and Amending Ordinance No. 2785, Known as the Zoning Ordinance and Land Development Manual of the City of Rochester, Minnesota, was given a first reading. (Zoning District Amendment #04-04 – South Side of Eastwood Road SE, East of Grandview Memorial Gardens, West of Knollwood Drive SE)</p>
G-2c	<p>An Ordinance Annexing to the City of Rochester Approximately 15.99 Acres of Land Located In a Part of the Southwest Quarter of the Northeast Quarter, the Southeast Quarter of the Northeast Quarter, the Northwest Quarter of the Southeast Quarter and the Northeast Quarter of the Southeast Quarter, Section 30, Township 107 North, Range 13 West, Olmsted County, Minnesota, was given a first reading. (Annexation Petition #04-06 – East of East Circle Drive, West of Century Hills Drive NE)</p>
G-2d	<p>An Ordinance Annexing to the City of Rochester Approximately 43.34 Acres of Land Located In a Part of the Southwest Quarter of the Southwest Quarter of Section 29, the Southeast Quarter of the Southeast Quarter of Section 30, the Northeast Quarter of the Northeast Quarter of Section 31 and the Northwest</p>

RECORD OF OFFICIAL PROCEEDINGS OF THE COMMON COUNCIL
CITY OF ROCHESTER, MINNESOTA
Regular Meeting No. 8 – April 5, 2004

7040

Agenda Item	
	<p>Quarter of the Northwest Quarter of Section 32, All in Township 107 North, Range 13 West, Olmsted County, Minnesota, was given a first reading. (Annexation Petition #04-06 – East of Century Valley Road NE and Century Point First Subdivision)</p>
G-2e	<p>An Ordinance Amending and Re-Enacting Sections 60.323, 60.424, 62.144, 62.331, 62.332 and 63.227 of the Rochester Code of Ordinances, Relating to the Residential Commercial Zoning District, was given a first reading. (Text Amendment #03-10)</p>
G-3a	<p>An Ordinance Annexing to the City of Rochester Approximately 19.44 Acres of Land Located in the West Half of the Northeast Quarter of the Northwest Quarter of Section 29, Township 107 North, Range 14 West, Olmsted County, Minnesota, was given a second reading. Councilmembers Hanson moved, Nowicki seconded, to adopt the Ordinance as read. Ayes (5), Nays (0). Motion carried. (Annexation Petition #04-02 – North of 19th Street NW, South of Badger Ridge Development, West of Superior Ridge Townhomes)</p>
J-1	<p>Having no further business, Councilmembers Hanson moved, McConnell seconded, to adjourn the meeting. Ayes (5), Nays (0). Motion carried.</p>
	<p> _____ City Clerk</p>